

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

Sheila D. Wilkes

(Name of plaintiff or plaintiffs)

v.

CIVIL ACTION NO. _____

Gastro One

(Name of defendant or defendants)

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. §2000e-5. Equitable and other relief are also sought under 42 U.S.C. §2000e-5(g).

2. Plaintiff, Sheila Wilkes
(name of plaintiff)

is a citizen of the United States and resides at 3367 Hallshire Drive
(street address)

Memphis
(city)

USA
(country)

Tennessee
(state)

38115
(zip code)

901-308-2150 / 901-340-5299
(telephone number)

3. Defendant Gastro One

(defendant's name)

lives at, or its business is located at 1324 Wolfpark Drive

(street address)

4. Plaintiff sought employment from the defendant or was employed by the defendant at

1324 Wolfpark Drive

(street address)

Germanatown

(city)

USA

(country)

TN

(state)

38138

(zip code)

5. Defendant discriminated against plaintiff in the manner indicated in paragraph 9 of this complaint on or about 14th Sept. 2010

(day)

(month)

(year)

6. Defendant filed charges against the defendant with the Tennessee Fair Employment Commission charging defendant with the acts of discrimination indicated in paragraph 9 of this complaint on or about _____

(day)

(month)

(year)

7. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission charging defendant with the acts of discrimination indicated in paragraph 9 of this complaint on or about 11th May 2011

(day)

(month)

(year)

8. The Equal Employment Opportunity Commission issued a Notice of Right to Sue, which was received by plaintiff on 30th Sept. 2011. (Attach a copy of the notice to this complaint.)

(day) (month) (year)

9. Because of plaintiff's (1) X race, (2) X color, (3) ___ sex, (4) ___ religion, (5) ___ national origin, defendant

(a) ___ failed to employ plaintiff.

(b) X terminated plaintiff's employment.

(c) ___ failed to promote plaintiff.

(d) _____

10. The circumstances under which defendant discriminated against plaintiff were as follows: I and another employee of the caucasian persuasion got into an argument and I was fired and she cursed me out, but I was the one fired. The other employee admitted to and was proud that she cursed me but yet they let me go.

11. The acts set forth in paragraph 9 of this complaint

- (a) ____ are still being committed by defendant.
- (b) X are no longer being committed by defendant.
- (c) ____ may still be being committed by defendant.

12. Please attach to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission, which are submitted as a brief statement of the facts supporting this complaint.

WHEREFORE, Plaintiff prays that the Court grant the following relief to the plaintiff:

- (a) ____ Defendant be directed to employ plaintiff, or
- (b) X Defendant be directed to re-employ plaintiff, or
- (c) ____ Defendant be directed to promote plaintiff, or;
- (d) X Defendant be directed to pay back wages.

and that the Court grant such other relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

13. I would like to have my case tried by a jury. Yes () No (X)

Shirley Willh
SIGNATURE OF PLAINTIFF